

REMARKS

The claims have been relabeled in accordance with Examiner's recommendation. The application is limited to the elected species of leaf springs, without the addition of new matter or amendment of the claims.

In the office action, claims 8 and 12 were rejected for new grounds of rejection under 35USC 103(a) over Pfleger (1,960,506) in view of Anderson(2,202,413).

In the office action, claim13 was rejected for new grounds of rejection under 35USC 103(a) over Pfleger (1,960,506) in view of Anderson(2,202,413) and further in view of Larsen (2,360,428).

Examiner states that "Pfleger discloses a pivotal connecting means between the base and the motor mounted platform and spring bias away from the pivot, but not a leaf spring. However Anderson teaches providing a leaf spring for tensioning. It would have been obvious to substitute the leaf spring of Anderson for the coil spring of Pfleger."

In the office action, claim13 was rejected for new grounds of rejection under 35USC 103(a) over Pfleger (1,960,506) in view of Anderson(2,202,413) as above, and further in view of Larsen (2,360,428). Examiner indicates that Larsen "teaches such arrangement of biasing a platform by having a leaf spring 22 first end attached to the base by 27 and a second end slidably engaging the platform 28,29 for constant adjustment to the motion of the rocking by the platform."

It is respectfully submitted that the application is improperly rejected for want of a prima facie showing of obviousness.

It is respectfully submitted that the invention as herein claimed is unobvious over the prior art for the following reasons:

The scope and content of the prior art:

Pfleger does disclose a pivotal connecting means between the base and the motor mounted platform and spring bias away from the pivot, but not a leaf spring.

Anderson teaches providing a spring plate16 affixed at one end directly to a motor and at the other end directly to the base, with no pivoting platform in between. " The result is that the curved end of the spring plate 16 is always exerting a constant self-compensating pull on the belt and a downward component of forces holds the motor firmly against the base and prevents vibration" (col 2, line 46).

16 is a plate not a leaf. It must be wide enough to support the full width of the motor to which it is bolted. It does not teach leaf springs. It does not teach leaf springs for tensioning pivoted motor mount platforms. It teaches bolting a wide spring plate to a motor at one end and a base at the other end. If combined with Pflieger it would no longer function as Pflieger intended.

Larsen teaches a chair spring arrangement of biasing a platform by having a leaf spring 22 first end attached not to the base by 27, but to the front end of a flexible bar, and a second end slidably engaging the platform 28,29 for constant adjustment to the motion of the rocking by the platform. "At this point, however, such flexing as is transmitted toward the front end of the group of leaves is passed on to the cantilevered portion 19a of bar 19 which will then flex somewhat downwardly at its front end." (col. 4, line 1)

Furthermore, his teachings are unrelated to the art of belt tensioning so it may not properly be combined.

Since the prior art combination lacks elements of the claims, is opposite teaching, and does not function as intended, it is therefor unobvious. In re Clinton, 527 F. 2d, 188 USPQ365 (CCPA 1976).

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure. In re Vaack, 947 F.2d 488, USPQ 2d 1438 (Fed.Cir. 1991).

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

The showing of suggestion to combine must be clear and particular. Examiner has made no such showing. In re Dembiczak, 175 F.3d 994, 50 USPQ 2d. 1614 (Fed. Cir.1999).

In view of the foregoing, it is urged that the Examiner withdraw the rejections and allow the claims. If there are any comments, questions or suggestions to be made, the Examiner is respectfully invited to telephone the applicants' representative at the telephone number given below for prompt disposition of any still outstanding matters.

Reconsideration is respectfully requested.

Respectfully submitted,

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